

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:19-cv-23100-DPG**

Cooperatieve Rabobank U.A., New York Branch et al v. Crowe LLP
Assigned to: Judge Darrin P. Gayles
Case in other court: 11th Judicial Circuit in and for Miami-Dade County,
19-018945-CA-01
Cause: 28:1446 Notice of Removal

Date Filed: 07/25/2019
Date Terminated: 02/20/2020
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff

**Cooperatieve Rabobank U.A., New York
Branch**

represented by **Scott Jay Feder**
4649 Ponce De Leon Boulevard
Coral Gables, FL 33146
305-669-0060
Fax: 669-4220
Email: assistantscottjfeder@hotmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Brown Brothers Harriman & Co.

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Bank Hapoalim B.M.

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

**MITSUBISHI INTERNATIONAL
CORPORATION**

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

ICBC STANDARD BANK PLC

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

TECHEMET METAL TRADING, LLC

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY

Plaintiff

Woodforest National Bank

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Hain Capital Investors Master Fund, Ltd.

represented by **Scott Jay Feder**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Crowe LLP

represented by **Fernando LaTour Tamayo**
Coffey Burlington
2601 South Bayshore Drive
Penthouse One
Miami, FL 33133
306-858-2900
Email: ftamayo@coffeyburlington.com
ATTORNEY TO BE NOTICED

John Everett Thornton , Jr.
Coffey Burlington, P.L.
2601 South Bayshore Drive
Penthouse
Miami, FL 33133
305-858-2900
Fax: 305-858-5261
Email: jthornton@coffeyburlington.com
ATTORNEY TO BE NOTICED

Paul Joseph Schwiep
Coffey Burlington, P.L.
2601 S Bayshore Drive
Penthouse
Miami, FL 33133
305-858-2900
Fax: 305-858-5261
Email: pschwiep@coffeyburlington.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/25/2019	<u>1</u>	NOTICE OF REMOVAL (STATE COURT COMPLAINT – Complaint) Filing fee \$ 400.00 receipt number 113C-11846347, filed by Crowe LLP. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A 1, # <u>3</u> Exhibit A 2, # <u>4</u> Exhibit A 3 i, # <u>5</u> Exhibit A 3 ii, # <u>6</u> Exhibit A 3 iii, # <u>7</u> Exhibit A 4, # <u>8</u> Exhibit

B, # 9 Exhibit C, # 10 Exhibit D, # 11 Exhibit E)(Schwiep, Paul) Modified text on 7/26/2019 (ar2). (No answer/motion to dismiss filed). (Entered: 07/25/2019)

07/25/2019	<u>I 2</u>	<p>Clerks Notice of Judge Assignment to Judge Darrin P. Gayles.</p> <p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Alicia M. Otazo-Reyes is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.</p> <p>Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (ar2) (Entered: 07/26/2019)</p>
07/29/2019	<u>I 3</u>	<p>Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Notice of Removal (State Court Complaint), <i>Defendant's Unopposed Motion for Extension of Time to Respond to Complaint</i> by Crowe LLP. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Schwiep, Paul) (Entered: 07/29/2019)</p>
07/29/2019	<u>I 4</u>	<p>PAPERLESS ORDER granting <u>3</u> Motion for Extension of Time. Defendant shall respond to the Complaint on or before August 30, 2019. Signed by Judge Darrin P. Gayles (hs01) (Entered: 07/29/2019)</p>
07/29/2019	<u>I</u>	<p>Set/Reset Answer Due Deadline as per DE 4 : All Defendants. (lk) (Entered: 07/30/2019)</p>
08/05/2019	<u>I 5</u>	<p>NOTICE of Attorney Appearance by John Everett Thornton, Jr on behalf of Crowe LLP. Attorney John Everett Thornton, Jr added to party Crowe LLP(pty:dft). (Thornton, John) (Entered: 08/05/2019)</p>
08/06/2019	<u>I 6</u>	<p>Joint MOTION Joint Motion to Establish Briefing Schedule <i>Joint Motion to Establish Briefing Schedule</i> by Crowe LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Schwiep, Paul) (Entered: 08/06/2019)</p>
08/07/2019	<u>I 7</u>	<p>Plaintiff's MOTION to Remand to State Court by Bank Hapoalim B.M., Brown Brothers Harriman & Co., Cooperatieve Rabobank U.A., New York Branch, Hain Capital Investors Master Fund, Ltd., ICBC STANDARD BANK PLC, MITSUBISHI INTERNATIONAL CORPORATION, TECHEMET METAL TRADING, LLC, Woodforest National Bank. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Feder, Scott) (Entered: 08/07/2019)</p>
08/07/2019	<u>I 8</u>	<p>Defendant's MOTION Defendant's Motion to Transfer <i>Defendant's Motion to Transfer</i>, MOTION for Hearing by Crowe LLP. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5 (composite), # <u>6</u> Exhibit 6)(Schwiep, Paul) (Entered: 08/07/2019)</p>
08/08/2019	<u>I 9</u>	<p>PAPERLESS ORDER granting <u>6</u> the Parties' Joint Motion to Set Briefing Schedule. Plaintiffs shall file their motion for abstention and Defendant shall file its transfer motion on or before August 7, 2019. The parties shall file their respective responses on or before Wednesday, August 21, 2019. The parties shall file their respective replies on or before August 28, 2019. Signed by Judge Darrin P. Gayles (hs01) (Entered: 08/08/2019)</p>
08/08/2019	<u>I</u>	<p>Set/Reset Deadlines/Hearings as per DE 9 : Motions due by 8/7/2019. Responses due by 8/21/2019 Replies due by 8/28/2019. (lk) (Entered: 08/08/2019)</p>
08/21/2019	<u>I 10</u>	<p>RESPONSE in Opposition re <u>8</u> Defendant's MOTION Defendant's Motion to Transfer <i>Defendant's Motion to Transfer</i> MOTION for Hearing filed by Bank Hapoalim B.M., Brown Brothers Harriman & Co., Cooperatieve Rabobank U.A., New York Branch, Hain Capital Investors Master Fund, Ltd., ICBC STANDARD BANK PLC, MITSUBISHI INTERNATIONAL CORPORATION, TECHEMET METAL TRADING, LLC, Woodforest National Bank. Replies due by 8/28/2019. (Feder, Scott) (Entered: 08/21/2019)</p>

08/21/2019	<u>11</u>	RESPONSE in Opposition re <u>7</u> Plaintiff's MOTION to Remand to State Court <i>Defendant's Response in Opposition to Plaintiffs' Memorandum of Law in Support of Abstention and Remand</i> filed by Crowe LLP. Replies due by 8/28/2019. (Attachments: # <u>1</u> Exhibit Composite Exhibit 1, # <u>2</u> Exhibit 2)(Schwiep, Paul) (Entered: 08/21/2019)
08/28/2019	<u>12</u>	REPLY to Response to Motion re <u>7</u> Plaintiff's MOTION to Remand to State Court filed by Bank Hapoalim B.M., Brown Brothers Harriman & Co., Cooperatieve Rabobank U.A., New York Branch, Hain Capital Investors Master Fund, Ltd., ICBC STANDARD BANK PLC, MITSUBISHI INTERNATIONAL CORPORATION, TECHEMET METAL TRADING, LLC, Woodforest National Bank. (Feder, Scott) (Entered: 08/28/2019)
08/28/2019	<u>13</u>	REPLY to Response to Motion re <u>8</u> Defendant's MOTION Defendant's Motion to Transfer <i>Defendant's Motion to Transfer</i> MOTION for Hearing <i>Defendant's Reply in Support of Its Motion to Transfer</i> filed by Crowe LLP. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Schwiep, Paul) (Entered: 08/28/2019)
08/29/2019	<u>14</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer <i>Defendant's Unopposed Motion for Extension of Time to Respond to Complaint</i> by Crowe LLP. (Attachments: # <u>1</u> Text of Proposed Order)(Schwiep, Paul) (Entered: 08/29/2019)
08/30/2019	<u>15</u>	PAPERLESS ORDER granting <u>14</u> Motion for Extension of Time. Defendant shall have up to and including twenty-eight (28) days after the entry of an order resolving the pending transfer and abstention/remand motions to file its response to Plaintiffs' Complaint. Signed by Judge Darrin P. Gayles (hs01) (Entered: 08/30/2019)
02/20/2020	<u>16</u>	ORDER Granting <u>8</u> Motion to Transfer. Pursuant to § 1404, the Clerk is directed to TRANSFER this action to the United States District Court for the Southern District of New York. Signed by Judge Darrin P. Gayles on 2/20/2020. <i>See attached document for full details.</i> (ar2) (Entered: 02/20/2020)
02/20/2020	<u>1</u>	Civil Case Terminated per DE <u>16</u> Order on Motion to Transfer. Closing Case. (ar2) (Entered: 02/20/2020)